

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION

IN RE: COMMERCIAL MORTGAGE &
FINANCE CO.,

Debtor.

) Chapter 11 Proceeding
)
)
) Bankruptcy No. 08-73242
)
) Judge Manuel Barbosa
)

MOTION RELATING TO MOTION FOR RELIEF FROM AUTOMATIC STAY

This matter coming on for the preliminary hearing on the Motion for Relief from Automatic Stay (the "Motion") filed by the Rock River Water Reclamation District (the "RRRD"), by which the RRRD seeks relief from the automatic stay imposed by Section 362 of the United States Bankruptcy Code (11 U.S.C. §101 et.seq., hereinafter the "Bankruptcy Code") to proceed with an action in eminent domain regarding the property of Commercial Mortgage & Finance Co., the debtor and debtor in possession herein, (the "Debtor"), the RRRD and the Debtor appearing by counsel and the Court having conducted a preliminary hearing and the Court determining that there is a reasonable likelihood that the Debtor will prevail at the conclusion of a final hearing on the Motion, and the Court otherwise being advised in the premises, the it is hereby ordered that:

1. The Court will conduct a final hearing on the Motion on April 8, 2009 at 10:30 A.M. jeb
2. The automatic stay shall continue in effect pending the conclusion of the final hearing under Section 362(d) of the Bankruptcy Code.

Dated:

APR 1 2009


Honorable Manuel Barbosa
United States Bankruptcy Judge